

April 17, 2026

**OFFICE OF THE HEARING EXAMINER  
KING COUNTY, WASHINGTON**  
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**REPORT AND RECOMMENDATION TO THE KING  
COUNTY COUNCIL FOR CURRENT USE  
ASSESSMENT APPLICATION**

SUBJECT: Department of Natural Resources and Parks file no. **E25CT015**  
Proposed ordinance no. **2026-0042**  
Parcel no. **155000-0590**

**JESSICA AND NICHOLAS FIRSOW**

Application for Current Use Assessment under the Public Benefit Rating System

Location: 31811 NE 199th Place, Duvall

Applicants: **Jessica and Nicholas Firsow**  
31811 NE 199th Place  
Duvall, WA 98019  
Telephone: (202) 390-6975  
Email: [jess.firsow@protonmail.com](mailto:jess.firsow@protonmail.com)

King County: Department of Natural Resources and Parks  
*represented by* **Bill Bernstein**  
201 S. Jackson Street Suite 5601  
Seattle, WA 98104  
Telephone: (206) 477-4643  
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**SUMMARY OF RECOMMENDATIONS:**

Department's Recommendation: Approve 4.03 acres for 80% reduction in appraised value.  
Examiner's Recommendation: Approve 4.03 acres for 80% reduction in appraised value.

PROCEDURAL BACKGROUND:

Per Ch. 20.36 KCC, the Department of Natural Resources and Parks (DNRP) transmitted the subject application along with its Report for Property Enrollment in the Public Benefit Rating System (PBRs) File No. E25CT015, to the Examiner.

The Examiner conducted a remote public hearing on the application on April 9, 2026. Bill Bernstein, representing DNRP, presented the application and DNRP’s recommendation. Applicant Jessica Firsow also participated.

FINDINGS AND CONCLUSIONS:

1. Except as modified herein, the facts set forth in DNRP’s staff report and testimony at the April 9, 2026, public hearing are correct and incorporated here by reference. We will provide copies of this report and DNRP’s staff report to the King County Council for final action.
2. The property at issue is at 31811 NE 199th Place, Duvall, Parcel No. 155000-0590, owned by the Applicants Jessica and Nicholas Firsow.
3. The Applicants timely filed an application with King County for current use assessment of the above identified property under the PBRs to begin in 2026.
4. Timely and proper legal notice of the public hearing on the application was provided. Ex 3.
5. The property is currently enrolled in the Designated Forestland program (RCW 84.33). The landowners have applied to PBRs as they no longer intend to manage the property for commercial timber purposes.
6. A list of the PBRs Open Space Resource categories identified by DNRP as relevant to the property are provided below. Categories that DNRP determined were eligible (or eligible with contingencies) for credit are assigned the applicable number of points.

PBRs categories:	Buffer to public or current use classified land	3
	Forest stewardship land	5
	Significant wildlife or fish habitat	5
	Surface water quality buffer	10
	Watershed protection area	5
	Total points awarded	28

The DNRP-recommended score of 28 points results in an 80% reduction in the appraised value of the enrolled portion of the property. Each category where points are recommended is discussed below.

7. **Buffer to public or current use classified land – 3 points.** The property is abutting land participating in the PBRs program to the north and south (parcels 155000-0593 and

155000-0591). The enrolling open space area is providing a buffer of native vegetation of more than fifty feet to this adjacent land, which exceeds the category's requirement.

8. **Forest stewardship land – 5 points.** To be eligible for this category, the property must contain at least four acres of contiguous forestland, which is met on this property. The owner has provided a forest stewardship plan that has been approved by a county forester. It is the owner's responsibility to apply for and receive the necessary approvals from the applicable state and local governmental agencies for forestry activities that require a permit or approval, such as clearing and grading. Award of this category requires an annual progress report from the owner which should be sent to PBRS staff by either email or other agreed to method.
9. **Significant wildlife or salmonid habitat – 5 points.** A staff site visit established that the property contains habitat for numerous wildlife species, including foraging and nesting habitat for the pileated woodpecker, which is identified in King County's Comprehensive Plan as a Species of Local Importance (E-328(e)). The property owner has visually observed the pileated woodpeckers using the property. Award of this category is consistent with habitat as defined by KCC 20.36.100.B.15.a(1).
10. **Surface water quality buffer – 10 points.** In order to be eligible for this category, the participating land must provide a buffer greater than 1.5 times that required (or 300 feet) for five points to be awarded, provide a buffer greater than two times that required (or 400 feet) for eight points to be awarded, or provide a buffer greater than three times that required (or 600 feet) for ten points to be awarded. The owner is providing a qualifying buffer of native vegetation to the east of the Type F stream on their property, that averages more than 700 feet in width, which is more than three times the buffer required.
11. **Watershed protection area – 5 points.** To be eligible for this category, the enrolling forested area must consist of additional forest cover beyond that required by county or applicable local government regulation and must be at least one acre or sixty-five percent of the property acreage, whichever is greater. The enrolling open space contains 4.03 acres of native forest cover which is more than 65% of the total property acreage and there are no additional forest retention regulations in place for this property.
12. Contingencies, Conditions, and Requirements.
  - A. The Examiner incorporates all conditions and requirements identified in the PBRS Staff Report. Ex. 1.
13. Enrollment Acreage. The Applicants requested 4.10 acres and DNRP recommends 4.03 acres of the subject property be enrolled in the PBRS program. (Enrollment acreage is the entire parcel less the excluded area, as calculated by DNRP. In the event the County Assessor's official parcel size is revised, the PBRS acreage shall be administratively adjusted to reflect that change.)
14. Approval of 28 points and a current use valuation of 20% of assessed value for 4.03 acres, is consistent with Ch. 20.36 KCC and with the purposes and intent of King

County to maintain, preserve, conserve, and otherwise continue in existence adequate open space lands and to assure the use and enjoyment of natural resources and scenic beauty for the economic and social well-being of King County and its citizens.

RECOMMENDATION:

APPROVE 28 points for the identified open space categories on 4.03 acres on parcel 155000-0590, for a current use valuation of 20% of assessed value for the enrolled portion of the property. Approval should be subject to any conditions and requirements listed herein or incorporated from the DNRP staff report.

DATED April 17, 2026.

A handwritten signature in black ink, appearing to read 'Devon Shannon', written over a horizontal line.

Devon Shannon  
Hearing Examiner

**NOTICE OF RIGHT TO APPEAL**

A party may appeal an Examiner report and recommendation by following the steps described in KCC 20.22.230. By **4:30 p.m.** on **May 11, 2026**, an electronic appeal statement must be sent to [Clerk.Council@kingcounty.gov](mailto:Clerk.Council@kingcounty.gov), to [hearingexaminer@kingcounty.gov](mailto:hearingexaminer@kingcounty.gov), and to the party email addresses on the front page of this report and recommendation. Please consult KCC 20.22.230 for the exact filing requirements.

If a party fails to timely file an appeal, the Council does not have jurisdiction to consider that appeal. Conversely, if the appeal requirements of KCC 20.22.230 are met, the Examiner will notify parties and interested persons and will provide information about next steps in the appeal process.

**MINUTES OF THE APRIL 9, 2026, HEARING ON THE APPLICATION OF  
JESSICA AND NICHOLAS FIRSOW, FILE NO. E25CT015**

Devon Shannon was the Hearing Examiner in this matter. A verbatim recording of the hearing is available in the Hearing Examiner's Office.

The following exhibits were offered by DNRP and entered into the record:

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|---------------|---|
| Exhibit no. 1 | DNRP staff report   |
| Exhibit no. 2 | <i>Reserved for future submission of the affidavit of hearing publication</i> |
| Exhibit no. 3 | Legal notice and introductory ordinance to the King County Council            |
| Exhibit no. 4 | Arcview/orthophotograph and aerial map  |
| Exhibit no. 5 | Application signed and notarized  |
| Exhibit no. 6 | Forest Stewardship Plan   |